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Global Agricultural Information Network

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Pakistan

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report Pakistan

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Report Highlights:

This report outlines regulatory requirements and import procedures for food and agricultural imports into Pakistan. Compared to the previous report released in 2012, sections I, 111, and V1 have been modified. All imports into Pakistan are governed by the Import Policy Order issued by the Ministry of Commerce. The Pakistan Standards and Quality Control Authority is the national standardization body. Pakistan's food imports are regulated by the federal government and food safety standards are regulated by the provincial governments. Pakistan food laws cover 104 food items falling into nine broad categories. Pakistan adheres to the Harmonized Coding System for classification of imported goods.

The Ministry of Food Security and Research, has drafted a proposed National Food Safety, Animal, and Plant Health Regulatory Act that would formalized the National Food Safety, Animal, and Plant Health Regulatory Authority (NAPHIS).

Section I. Food Laws:

Disclaimer: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Islamabad Pakistan for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

The Ministry of Food Security and Research (MNFSR), created in November 2011, is in the process of drafting National Agriculture and Food Security Policy. The MNFSR has drafted and submitted a National Food Safety, Animal, and Plant Health Regulatory Act to the cabinet for approval. The act would formalize the National Food Safety, Animal, and Plant Health Regulatory Authority (NAPHIS). NAPHIS would be responsible for regulating food safety, sanitary, and phytosanitary measures, thus creating a much needed nationally integrated regulatory framework.

Currently, Pakistan's food imports are regulated by the federal government and food safety standards are regulated by the provincial governments. Pakistan's 18th constitutional amendment devolved most of the functions including agriculture to the provinces. As a result of this devolution, the provincial governments are developing their own different sanitary and phytosanitary regulations which are beginning to introduce inconsistency in regulations across Pakistan. Due to weak enforcement, these changes are not impacting trade of goods between provincial borders yet. The Federal Government is aware of the potential problems and is reviewing their options under the 18th Amendment.

Pakistan does not have an integrated legal framework but has a set of laws, which deals with various aspects of food safety. Food safety standards were first established and published in the Pakistan Pure Food Laws (PFL) of 1963 and revised in 2007. The PFL is the basis for the existing trade-related food quality and safety legislative framework. It covers 104 food items falling under nine broad categories: milk and milk products, edible oils and fat products, beverages, food grains and cereals, starchy food, spices and condiments, sweetening agents, fruits and vegetables and miscellaneous food products. These regulations address purity issues in raw food and deal with additives, food preservatives, food and synthetic colors, antioxidants, and heavy metals.

The federal government applies Codex standards and guidelines in its regulation of imported food products. U.S. Food and Drug Administration standards also are used for certain products. A list of permissible food colors is updated every year. For animal products, "Halal" certification (slaughtered in accordance with Islamic law) is required.

Pakistan, as a member of International Organization for Standardization (ISO), continues to harmonize standards with International requirements. Its national standards cover agriculture, foodstuffs, chemicals and textiles. Anecdotally enforcement remains poor due primarily to limited inspection resources. Standards covering 47 products (among them edible oils, biscuits, and bottled water) are mandatory for

human safety and public health reasons, under the Compulsory Certification Mark License Scheme. These goods, whether imported or domestic, must meet Pakistani standards, which are generally harmonized with international requirements, and have a certification Mark issued by the PSQCA. The Pakistan Standards and Quality Control Authority, under the Ministry of Science and Technology, is the national standardization body. Domestic manufacturers and exporters must be registered with the PSQCA to ensure compliance. In performing its duties and functions, PSQCA is governed by the PSQCA Act, 1996. PSQCA is a member of the International Organization for Standardization (ISO) and is the apex body to formulate or adopt international standards.

PSQCA also serves as:

- Focal point for national, regional and international organizations & institutions such as ISO, IEC, Codex Alimentarius and WTO.
- National Enquiry Point (NEP) for WTO Agreement on Technical Barrier to Trade (TBT).
- Introduce measures through standardization regarding consumer safety and health.
- Establish procedure to conformity assessment compliant with national & international standards.

PSQCA standards are generally voluntary and available to the public. Their implementation depends on adoption by concerned parties. However, a Pakistan standard becomes binding if it is stipulated in contract or referred to in legislation or made mandatory by specific orders of the Federal Government. PSQCA has the mandate to inspect and test products and services, including food items, for their quality, specification and characteristics during use, and for import and export purposes.

The Department of Customs and Plant Protection and Quarantine (PPQ) are the two main agencies involved in regulating food imports, while the Department of Animal Quarantine (DAQ) is responsible for regulating imports of live animals. The Customs Department's primary functions are to ensure that imported foods meet Pakistan's labeling and shelf-life requirements, prevent imports of banned items, and assess appropriate import tariffs. PPQ ensures that shipment of bulk commodities meet phytosanitary requirements while DAQ is responsible for enforcing sanitary requirements for live animal shipments.

The federal government's primary concern regarding imported food is shelf life. Federal import regulations require that imported food products have at least 50 percent of original shelf life remaining at the time of importation. To ensure shelf life requirements are met, correct labeling is critical. Each retail pack must have the production and expiration dates printed on the label. In addition to shelf life and labeling, certain products are banned for religious reasons. The importation of food products containing pork or pork products is prohibited. Meat and dairy products may be imported if certified to be "Halal." Commercial import of alcoholic beverages or products containing alcohol is also prohibited.

Pakistan controls certain imports through a "negative list." The negative list is comprised of (a) items banned for reasons of religion, security or luxury consumption; (b) capital and consumer goods banned to protect a domestic industry; and (c) intermediate goods used to produce protected goods. Pakistan also maintains a "restricted list" of items that may be imported only by certain parties (i.e., the government or other specified users) or under certain arrangements (such as imports against credit).

Other than the exceptions cited above, there are no federal restrictions on the importation of consumer foods. U.S. exporters have had problems with requirements due to the use of bar-code labels that do not have printed dates of manufacture and expiration. As a result, U.S. suppliers using bar-coded labels alone will incur the extra cost of printing new labels or of affixing stickers with the printed production and expiration dates on each retail pack.

Most of the imported foods are in consumer-ready packaging. Refined vegetable oil is the one exception and is generally imported in bulk and re-packed locally.

At the time of import, the Federal Customs Department checks the PFL standards to determine whether an item is deemed importable. To ensure that an imported product meets provincial health requirements, the exporter and/or his agent should contact the Provincial Health Departments to verify that the product meets the requirements of the Pure Food Laws.

There is no system to effectively enforce food laws at the wholesale or retail level. Under certain circumstances, District Administrators, in cooperation with the Provincial Food Department, may inspect outlets and make a decision on whether to ban the sale of a product. The Punjab government established the Punjab Food Authority to improve the implementation of food laws and to provide for the safety and standards of food. The Governments of Khyber Pakhtunkhwa (KPK) and Sindh are also considering the establishment of a Food Authority in their respective provinces.

Institutional Mapping

In Pakistan, controls have remain organized on the basis of commodity groups (such as plant, livestock) reflecting functions of government departments (Table 1). There are several different federal ministries and bodies concerned. Corresponding legislation is largely linked to the duties of the organization.

Table 1: Ministries and Institutions concerned with food safety in Pakistan

Organizations	Main areas of Responsibility
1. Ministry of National Food Security and Research:	
Animal Husbandry Commissioner	Chief Veterinary Officer, disease surveillance and control; epidemiology, drugs and vaccines and dairy sector
Animal Quarantine Department	Animal health conditions for import and export; meat inspection for exported meat/casings. Controls at border inspection posts. Under Animal Quarantine (Import and Export of Animal Products Ordinance, 1979)
National Veterinary Laboratory	Disease surveillance; veterinary drug testing; vaccination quality and residue testing
Department of Plant Protection	Import/export controls at 26 border inspection posts for plant pests/diseases. Operates under Plant Quarantine Act 1976. Responsible for authorization of pesticides (Pesticide Ordinance 1971)
Grain Quality Testing Laboratory	Sampling and testing for import and export of grains (and other foods); pesticide residue & aflatoxin testing
National Animal and Plant Health Inspection Service	Draft bill foresees NAPHIS to be responsible for development of policy, initiate legislation, and ensure efficient enforcement.

(NAPHIS)	
2. Ministry of Science and Technology:	
Pakistan Standards and Quality Control Authority	The Pakistan Standards and Quality Control Authority, under the Ministry of Science and Technology, is the national standardization body. It is responsible for enforcement of standards and to inspect and test products and services, including food items, for their quality, specification and characteristics during use, and for import and export purposes.
3. Ministry of Health:	
National Institute of Health	Communication with provinces on food safety
4. Ministry of Commerce:	
The Customs Department	Its primary function is to ensure that imported food meet Pakistan's labeling and shelf-life requirements, are not on the list of banned items, and are assessed the appropriate tariffs.
5. Provincial Governments:	
Department of Health	Food safety in retail/catering and processing establishments for national market.
Department of Plant Protection	Plant pest & disease surveillance; control on use and distribution of pesticides
Livestock/Dairy Departments	Meat & dairy inspection at farm/ slaughterhouse/ dairy; poultry and eggs inspection at producer level

Section II. Labeling Requirements:

General Requirements

1. Imported food products, including ingredients, must have at least 50 percent of their original shelf life remaining at the time of importation - calculated from the date of filing the "Import General Manifest" (IGM) in accordance with the Customs Act of 1969. Labels in English or Urdu languages are required.
2. Packages or containers must also indicate:
 - a. The date of manufacture and date of expiration,
 - b. That the contents are free from pork and pork products,
 - c. That the contents are fit for human consumption and that any animal product was obtained from an animal slaughtered according to 'Halal' requirements,
 - d. That import of edible oils is on the basis of landed weight and landed quality.
 - e. That packing may not contain any word or inscription of a religious connotation or any obscene picture that may offend the religious feeling of any sect, class or group in Pakistan.
3. The production and expiration dates must be printed in English, using either words and/or numbers.
4. Standard U.S. bar-code labels alone are generally not acceptable as they lack printed production and expiration dates, as required by law.

5. Stickers, which contain the required printed dates of manufacture and expiration, should be affixed to the standard U.S. labels prior to shipment.
6. Products for institutional sale are governed by the same regulations as products for direct retail sale. However, certain institutions may request additional information on the label to identify it as their product.
7. Samples are governed by the same regulations as products for direct retail sale.
8. The coded "best before use date" is not considered to be an acceptable expiration date. In the past, several cargoes containing items without printed production and/or expiration dates were held by Customs until stickers with production and expiration dates certified by the Pakistani High Commission in the United States could be affixed to each individual item.
9. Pakistan does not have any special or additional requirements based on the country of origin for any food product. In the event there is a worldwide alert for a product from a particular origin, Pakistan will notify the appropriate country and trade organizations of any changes in its import requirements.
10. Authorities strictly enforce label requirements and do not grant exceptions. They are authorized to reject or to destroy any cargo with improper labels.
11. In case of food items containing artificial flavoring substances, the label may not declare the chemical names of the flavors, but in the case of natural flavoring substances or nature-identical flavoring substances, the common name of flavors, including whether natural or synthetic, shall be mentioned on the label.

Requirements Specific to Nutritional Labeling

Pakistan does not require nutritional content to be listed on product labels but generally accepts U.S. Food and Drug Administration (FDA) regulations as guidelines. Pakistan Standards and Quality Control Authority regularly update its guidelines, based on Codex and FDA revisions.

1. Nutritional labels are not required but can be included at the option of the supplier.
2. The standard U.S. nutritional fact panel is acceptable, if it conforms to FDA regulations.
3. There are no regulatory restrictions on the importation of products with nutrient or nutritional claims. Pakistani authorities consider claims largely as promotional tools and thus far, do not require them to be based on scientific evidence.
4. There are no regulatory restrictions on the importation of products with implied claims. Here again, authorities consider these claims to be promotional tools and do not require them to be verified with scientific evidence.

5. Authorities generally have no objection to the importation of products with specific health claims. However, if a product claims to be a source of vitamins or minerals, it must be registered with the federal government prior to arrival, jointly in the name of importer and manufacturer.

Section III. Packaging and Container Regulations:

There are no special packaging or container size requirements. Pakistan generally follows Codex rules for packaging requirements, and generally accepts packaging material if allowed in the exporting country.. Pakistan does not have any packaging requirements related to environmental concerns, such as waste disposal or recycling.

The following information must be placed in a durable and legible manner on all packages in the consignment or container:

- The name of the product
- The name and address of the manufacturer
- The net contents
- The date of manufacture and date of expiration
- The percentage of dye contents
- The normal storage stability

Section IV. Food Additives Regulations:

Pakistan generally follows Codex rules for food additives and preservatives. The Ministry of Commerce updates its list of importable food additives based on guidance received from Codex. These lists are in English and are updated annually. Pakistan also follows Codex standards regarding vitamins in food products.

The Ministry of Commerce regulates the importation of food coloring. These regulations are reviewed and updated annually. The importation of food coloring or foods containing artificial colors is subject to the following conditions:

The importer must obtain a certificate from the concerned agency of the government of the exporting country. The certificate shall accompany each consignment and shall state that the food additives/colors are in use in the country of origin at the time of shipment or are registered for use in that country.

The exporter's invoice must show the percentage of dye content in the product.

Section V. Pesticides and Other Contaminants:

Pakistan generally follows Codex rules and guidelines on maximum residual limits (MRLs) of pesticides and other contaminations in foodstuff. Customs officials enforce these rules according to Codex-defined limits for imported foods. However, Pakistan does not have a system to enforce the MRLs of pesticides and other contaminants in domestically produced foods.

Occasionally, authorities enact special requirements to deal with crisis situation as occurred following the dioxin problem in Belgium in 1999 when Pakistan required a dioxin-free certificate on products originating from Belgium. Department of Plant Protection regulates the registration of pesticides. All pesticides must be registered by filing an application with the Department.

Section VI. Other Regulations and Requirements:

Pakistan requires food imports to be accompanied by a written certification from the producer and exporting country that the products have been produced under sanitary conditions and in disease free areas. The certificate is a federal requirement. Ministry of Commerce is the agency responsible to govern imports and exports across custom frontiers, undertake multilateral trade negotiations and formulation and Implementation of annual trade policy. All imports into Pakistan are governed by the

Import Policy Order issued by the Ministry of Commerce annually.

The importer shall ensure that:

- Importation is in accordance with regulations and the item(s) are not on the negative list.
- The terms and conditions of importation are specified in the letter of credit.
- Imports of plants and animals have the necessary approval from the Ministry of Food and Food Security and Research.
- Imports of livestock genetics must have the necessary clearance from the Ministry of National Food Security and Research.
- Pakistan currently does not allow imports of cattle from countries with reported cases of BSE, which includes the United States along with several others countries.

Laboratory testing may be required for food products containing medicines. Bulk vegetable oils are the only food products subject to random testing to ensure fitness for human consumption at time of arrival.

Samples: Product samples can be shipped via express mail or parcel post. If a sample meets labeling and other requirements, it will be released after the applicable tariffs and taxes are paid. Free samples are assessed a duty based on freight costs. Specific requirements for sample shipments may be obtained from the Ministry of Commerce.

Specific Documentation and Certification Requirements

The exporter must provide a certificate of origin for all shipments. For animal products, the exporter also must certify that the product is "Halal." Pakistan may require other specific certificates based on worldwide alerts or other emergency situations. In such instances, the Government of Pakistan will alert the appropriate countries and trade organizations of these requirements. Exporters should verify with their importers that all required certificates for customs and quarantine clearance have been obtained prior to shipment.

Section VII. Other Specific Standards:

Pakistan generally follows European standards for weights and measurements. U.S. weights and measures are also acceptable. Other standards applied by product include:

- Codex rules to regulate importation of vitamin-enriched products.
- Food products containing a genetically enhanced component (GMO) are not restricted.
- Fresh or frozen seafood may be imported in consumer packs or in bulk, provided the sale of the same product is permitted in the country of origin.
- For live animal shipments, the importers must provide a quarantine certificate from the relevant authority in the country of origin, which contains all the information required for quarantine clearance.
- Alcoholic beverages may not be imported for commercial sale. Importation of alcohol for other than commercial sale requires approval of the Ministry of Commerce.

- Organic foods and health foods are not regulated. However, exporters may use FDA and Codex rules as a general guideline.
- Product samples and free samples must follow the same regulations as commercially imported items.

Section VIII. Copyright and/or Trademark Laws:

Pakistan does not provide for a regulatory framework that provides for the protection of plant varieties, as outlined in article 27.3 (b) of the TRIPS Agreement. Pakistan's current seed law does not provide the seed industry with the necessary enforcement and legal dispute mechanisms to protect enterprises from theft, and misbranding of new and existing varieties. This has created trade barriers for the commercialization of U.S. cotton seed in Pakistan, as it has had to withdraw from the Pakistani market due to widespread pilfering and misuse of its seed. Although an amendment to the existing law, and a breeders' rights law have been drafted to remedy this situation, the laws have yet to pass Parliamentary approval.

Trademarks and brand names are protected under domestic laws and are registered through the Intellectual Property Organization. Pakistan is committed to World Trade Organization (WTO) agreements and is moving to comply with WTO agreements on intellectual property, trademark and patent rights. Pakistan is also a member of the Universal Copyright and Bern Conventions.

Pakistan has addressed Intellectual Property Rights by forming an independent body, the Intellectual Property Organization - Pakistan (IPOP). This agency has streamlined access to the organization by having one point of contact compared to the involvement of many ministries in the past. A copyright on a registered design is initially granted for five years extendable for another ten years. Patents are granted for up to 16 years from the date of application and may generally be extended for another five-year period and, under some circumstances, for an additional five years. Legal remedies, such as injunctions, are available in cases of patent infringement.

Trademarks are registered under the 2001 Trade Marks Ordinance through the Trademark Registry, a department in the Ministry of Commerce. Trademarks are registered for a 10-year period from the date of registration and may be renewed for a further 10 years. The importer of a food product, in coordination with the manufacturer, may register the trademark(s) and brand(s).

Section IX. Import Procedures:

Pakistan has removed the registration requirement for importing firms in the private sector. Importers are required to obtain special authorization from the Ministry of Commerce to import items on the negative/restricted list. They must ensure that the correct Harmonized Schedule code number for every imported item is stated in the import documents. The requisite import documents include: bills of lading, invoices, packing lists, certificates of origin, copies of letters of credit and insurance certificates.

Ample public and bonded warehouse facilities, most of which are owned by the port trust organizations, exist for the storage of goods. Goods must be landed within the period specified on the bill of lading or within 15 days after entry of the vessel into port. Once the goods have entered and duties have been assessed, the importer must clear them for consumption (by paying all duties) or warehouse them.

Customs and Plant Protection and Quarantine officials inspect imported product to ensure they conform to labeling and other import requirements. Imports of live animals or plants require necessary

certification from the country of origin. After Customs and PPQ issue their respective clearance reports, the goods are released on payment of import duty.

English is the official language. All agencies will accept documents in English and will respond in English. Thus, there is no need to translate documents to Urdu or other local languages to expedite procedures. Goods generally can be cleared through Customs in less than a week, if all papers are in order. The system allows for appeal (at multiple levels) in case of a dispute.

Pakistani regulations require exporters to acquire a compulsory letter of credit or register the contract with a bank in order to import goods into Pakistan. Pakistan uses the Harmonized System to classify and describe goods. Customs duties are levied on an ad valorem basis.

Appendix I. Government Regulatory Agency Contacts:

Secretary

Ministry of National Food Security and Research

Government of Pakistan

Pak. Secretariat, Block "B"

Islamabad, Pakistan

Tel # (92-51) 920-3307

Fax # (92-51) 921-0616

Secretary

Ministry of Commerce

Government of Pakistan

Pak. Secretariat, Block "A"

Islamabad, Pakistan

Tel # (92-51) 921-0277

Fax # (92-51) 920-3104

mincom@commerce.gov.pk

Secretary

Ministry of Industries

Government of Pakistan

Pak. Secretariat, Block "A"

Islamabad, Pakistan

Tel # (92-51) 921-1709

Fax # (92-51) 920-5130

moip@moip.gov.pk

Secretary

Ministry of Finance

Government of Pakistan

Pak. Secretariat, Block "Q"

Islamabad, Pakistan

Tel # (92-51) 920-6382

Fax # (92-51) 921-8062

so_coord1@finance.gov.pk

Appendix II. Other Import Specialist Contacts:

Chairman

Central Board of Revenue

CBR House

Tel # (92-51) 920-1938

Islamabad, Pakistan

Fax # (92-51) 920-5308

chairman@cbr.gov.pk

Chairman

Export Promotion Bureau

Finance and Trade Center

Tel # (92-21) 920-6487

Shara-e- Faisal, Karachi, Pakistan

Fax # (92-21) 920-2713

chairmanepb@yahoo.com

Pakistan Standards and Quality

Control Authority

Karachi, Pakistan

340-23843

Tel # (92-21) 340-21426

Fax

Fax # (92-21) 21-

directorwto@psqca.com.pk